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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO. <i>At</i>
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09/498,559 02/04/00 SACKINGER

EXAMINER

F	
ART UNIT	PAPER NUMBER

MMC2/0309
Docket Administrator (RM 3C-512)
Lucent Technologies Inc
600 Mountain Avenue P O Box 636
Murray Hill NJ 07974-0636

DATE MAILED:

2816

03/09/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.
09/498,559

Applicant(s)
SACKINGER

Examiner
DINH LE

Group Art Unit
2816



☒ Responsive to communication(s) filed on Jan 31, 2001

☒ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claims

☒ Claim(s) 1-19 is/are pending in the application.

Of the above, claim(s) _____ is/are withdrawn from consideration.

☒ Claim(s) 1-15 is/are allowed.

☒ Claim(s) 16-19 is/are rejected.

☐ Claim(s) _____ is/are objected to.

☐ Claims _____ are subject to restriction or election requirement.

Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been
☐ received.

☐ received in Application No. (Series Code/Serial Number) _____.

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

☐ Notice of References Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____

☐ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

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NON-FINAL REJECTION

Claim Rejections - 35 U.S.C. § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 16-17 and 19 are rejected under 35 U.S.C. 102 (b) as being anticipated by Kobayashi (US Pat. 5,821,825).

Figure 2 of Kobayashi discloses an active inductor (22) biased by the voltage divider (R3, R4) which provide a reference voltage between the voltage Vee and ground or beyond the Vee and ground (0 volt).

Claim Rejections - 35 U.S.C. § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 18 is rejected under 35 USC 103 (a) as being unpatentable over Kobayashi (US Pat. 5,821,825).

Figures 1-3 of the Kobayashi discloses an active inductor (22) comprising all of the limitations of the claimed invention but does not disclose that the transistor (M2) is PMOS

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transistor. Since the NMOS transistor and the PMOS transistor perform the same function, employing the PMOS transistor is a choice for an engineer dependent upon an application. Lacking of showing any criticality, employ the PMOS transistor in the circuit of Kobayashi would have been obvious to a person having skill in the art at the time of the invention.

Allowable Subject Matter

Claims 1-15 are allowed.

The claims would be allowable because the prior art references do not show that the gate voltage transistor is higher than the power supply.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Examiner Dinh Le whose telephone number is (703) 305-3790. The examiner can normally be reached on Monday to Friday from 7:00 A.M.to 5:00 P.M..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tim Callahan, can be reached on (703) 308-4876. The fax phone number for this Group is (703) 308-7725.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-0956.

A handwritten signature in black ink, appearing to read 'Dinh Le', with a stylized, cursive script.

DINH LE
Primary Examiner

March 4,